

Substitute for Form PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 032013-103 U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/507,485
INTERNATIONAL APPLICATION NO. PCT/FR2003/003746	INTERNATIONAL FILING DATE December 16, 2003	PRIORITY DATE CLAIMED December 16, 2002

TITLE OF INVENTION

ENANTIOMER (-) OF TENATOPRAZOLE AND THE THERAPEUTIC USE THEREOF

APPLICANT(S) FOR DO/EO/US

Suzy CHARBIT et al.

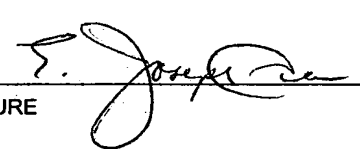
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission to items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (22) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 21 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information: _____

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/507,485		INTERNATIONAL APPLICATION NO. PCT/FR2003/003746		ATTORNEY'S DOCKET NUMBER 032013-103	
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<p>21. <input type="checkbox"/> Applicant(s) requests that the published application include the following assignment information:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>22. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p>Basic Filing Fee (1631) _____</p> <p>Surcharge of \$130.00 (1617) for furnishing the oath or declaration later than _____ <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). \$ 130.00</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:15%;">NUMBER FILED</th> <th style="width:15%;">NUMBER EXTRA</th> <th style="width:15%;">RATE</th> <th style="width:15%;">\$</th> <th style="width:20%;"></th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>-20 =</td> <td>0</td> <td>x \$50.00 (1615)</td> <td></td> <td></td> </tr> <tr> <td>Independent Claims</td> <td>-3 =</td> <td>0</td> <td>x \$200.00 (1614)</td> <td></td> <td></td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$360.00 (1616)</td> <td></td> </tr> <tr> <td colspan="4">Examination Fee</td> <td>+ \$200.00 (1633)</td> <td></td> </tr> <tr> <td colspan="4">Search Fee</td> <td>+ \$500.00 (1632)</td> <td></td> </tr> <tr> <td colspan="4">App. Size Fee (add \$250.00 for each add'l 50 sheets exceeding 100 sheets)</td> <td></td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$ 130.00</td> <td></td> </tr> <tr> <td colspan="4"> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. </td> <td>+</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL =</td> <td>\$ 130.00</td> <td></td> </tr> <tr> <td colspan="4">Processing fee of \$130.00 (1618) for furnishing the English translation later than _____ <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</td> <td></td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL NATIONAL FEE =</td> <td></td> <td></td> </tr> <tr> <td colspan="4">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (8021) per property +</td> <td></td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL FEES ENCLOSED =</td> <td>\$ 130.00</td> <td></td> </tr> <tr> <td colspan="4"></td> <td>Amount to be refunded :</td> <td></td> </tr> <tr> <td colspan="4"></td> <td>charged :</td> <td></td> </tr> </tbody> </table> <p>02/03/2005 MKAYPAGH 00000050 10507485</p> <p>01 FC:1617 130.00 OP</p> <p>a. <input checked="" type="checkbox"/> A check in the amount of <u>\$ 130.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>02-4800</u> in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-4800</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Charge _____ to credit card. Form PTO-2038 is attached.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Burns, Doane, Swecker & Mathis, L.L.P. P.O. Box 1404 Alexandria, Virginia 22313-1404 (703) 836-6620</p> <div style="text-align: right;"> <p> SIGNATURE</p> <p>_____ NAME</p> <p><u>28,510</u> <u>January 31, 2005</u> REGISTRATION NO. DATE</p> </div>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$		Total Claims	-20 =	0	x \$50.00 (1615)			Independent Claims	-3 =	0	x \$200.00 (1614)			MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00 (1616)		Examination Fee				+ \$200.00 (1633)		Search Fee				+ \$500.00 (1632)		App. Size Fee (add \$250.00 for each add'l 50 sheets exceeding 100 sheets)						TOTAL OF ABOVE CALCULATIONS =				\$ 130.00		<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+		SUBTOTAL =				\$ 130.00		Processing fee of \$130.00 (1618) for furnishing the English translation later than _____ <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).						TOTAL NATIONAL FEE =						Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (8021) per property +						TOTAL FEES ENCLOSED =				\$ 130.00						Amount to be refunded :						charged :	
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